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THE CASE OF

Charles Bowyer Adderley, Eſquire, *Henry Fidler*, *Edward Baker*, and *Matthew Barrows*.

December 1, 1767. COMPLAINT was made to the Houſe of Commons, That, in Breach of the Privilege of that Houſe, *Henry Fidler*, *John Baker*, and *Matthew Barrows*, had, by the Inſtigation of *Charles Bowyer Adderley*, Eſquire, forcibly entered upon a Fiſhery at *Coton* upon the River *Tame*, the Property and in the Poſſeſſion of *Simon Luttrel*, Eſquire, a Member of the Houſe, and taken Fiſh thereout; in conſequence of which Complaint Mr. *Adderley* and the other Perſons have been ordered to attend the Committee of Privileges and Elections, upon *Wedneſday* the 20th of *January*, to anſwer the Matter of the ſaid Complaint.

Mr. *Adderley* is Lord of the Manor of *Lea*, in the County of *Warwick*, adjoining to the River *Tame*, his Place of Reſidence is called *Hams*, ſituated in the Manor of *Lea*, upon the South Side of the River; and about a Mile below, on the ſame Side of the River, adjoining to the Manor of *Lea*, lies the Vill or Hamlet of *Marſon*; and oppoſite thereto, on the other Side of the River, lies the Vill or Hamlet of *Coton*.

Both

Both *Marſon* and *Coton* are Members of the Manor of *Maxtock*, in *Warwickſhire*, of which *William Dilkes*, Eſquire, and his Anceſtors, have for a great Number of Years been Lords.

The Family of the *Dilkes*'s, and thoſe claiming under them, have continually had and enjoyed a Fiſhery throughout the River *Tame* between *Marſon* and *Coton*, and all Royalties and Manerial Rights within thoſe Places.

Bowyer Adderley, Eſquire, Father of the preſent Mr. *Adderley*, reſiding at *Hams*, and conceiving that the Fiſhery and other Rights, belonging to the *Dilkes*'s Family, in *Marſon* and *Coton*, might be a Convenience to him, about Twenty-five Years ago took a Leaſe thereof at Six Pounds *per Annum*.

In 1746 Mr. *Bowyer Adderley* died, leaving the preſent Mr. *Adderley* his Son then about Four Years of Age.

The Guardian of the preſent Mr. *Adderley* continued in Poſſeſſion of the Fiſhery and other Rights, at the above-mentioned Rent, till Mr. *Adderley* came of Age; from that Time he continued Tenant to the *Dilkes*'s Family till about a Year ago, when he contracted for the abſolute Purchaſe of the Fiſhery and other Rights for the Sum of Three hundred Guineas.

Mr. *Bowyer Adderley* (the Father) in his Life-time, and after his Death the Guardian of the preſent Mr. *Adderley*, conſtantly, and without Interruption or Objection, enjoyed the Fiſhery between *Marſon* and *Coton*; and the preſent Mr. *Adderley* from the Time of his coming of Age enjoyed the ſame until the pretended Cauſe of the preſent Complaint.

Mr. *Luttrel* becoming intitled in Right of his Wife to an Eſtate in *Coton*, Part of which adjoins to the River *Tame*, about Seven Miles diſtant from Mr. *Luttrel*'s Place of Reſidence in *Warwickſhire*, has exerciſed a Liberty of Fiſhing in that Part of the River which adjoins to his Eſtate in *Coton*.

On the 21ſt *September* laſt Mr. *Adderley* ſent *Henry Fidler* (who has been employed in Fiſhing by Mr. *Luttrel* and other Gentlemen), *Edward* (in the Complaint called *John*) *Baker*, and *Matthew Barrows*, Two Labourers of Mr. *Adderley*, to fiſh the River between *Marſon*

Marſon and *Coton*, which they did peaceably, without any Manner of Force uſed by them, or any Interruption by Mr. *Luttrel*, or any Perſon on his Behalf.

Soon afterwards an Information was made before a Juſtice of the Peace againſt theſe Perſons for Fiſhing in the Fiſhery of Mr. *Luttrel*, which was the Firſt Exertion of the Claim of Mr. *Luttrel* to an excluſive Fiſhery in any Part of the River to the Knowledge of Mr. *Adderley*; and if Mr. *Luttrel* be ſerious in ſuch Claim, Mr. *Adderley* is very ready to litigate the ſame with him in any Proceeding at Law, to be adviſed by Mr. *Luttrel*'s own Counſel.

The Juſtice of the Peace declining to interfere in the Buſineſs, it is now become the Subject of Complaint to the Houſe of Commons.

Under theſe Circumſtances, Mr. *Adderley*, and the other Perſons who acted under his Orders, humbly ſubmit, that they have not been guilty of a Breach of the Privilege of the Houſe, or of any Violation of the Property or Poſſeſſion of Mr. *Luttrel*.

THE

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